TALUQDARS AND GRANTEES, OUDH—*contd.*

Intestate succession to estate and property of: special rules for; power to revert to ordinary rules	Act I, 1869, ss. 21 to 23, 30, 31, 31A (s. 21 am. s. 22, sub, ss. 30, 31 am., s. 31A, ins. U.P. Act 3, 1910, ss. 13, 14, 17, 18).
Maintenance; right of surviving relatives of last holder of estate to maintenance out of estate	,, ss. 24 to 28.
,, and compensation; enforcement of certain awards as to	,, s. 33.
Muhammadan; right of adoption conferred on	,, s. 29 (am. U.P. Act 3, 1910, s. 15).
Requirements for valid adoption	,, s. 29A (ins. U.P. Act 3, 1910, s. 16).
Act not to affect rights of creditors	,, s. 32 (am., U.P. Act 3, 1910, s. 19).
Power to declare property to be governed by Act	,, s. 32A (ins. U.P. Act 3, 1910, s. 20).
Retrospective operation of certain amendments made by U. P. Act 3, 1910	U.P. Act 3, 1910, s. 21.

See also INCUMBERED ESTATES, V; SETTLED ESTATES (OUDH).

TALUQDARS, THAKURS AND JAGIRDARS, AJMERE.

Hearing of suits involving questions regarding succession to estates of	Reg. 1, 1877, ss. 34 to 37.

See also INCUMBERED ESTATES, I.

TANJORE POLICE REGULATION, 1816. (*See* POLICE, I)	Mad. Reg. 1, 1816.
TARIFF ACT (INDIAN), 1894. (*See* CUSTOMS)	Act 8, 1894.

TAXES.

Acts 20, 1839, and 19, 1844, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act 15, 1874, s. 5.
Power of Local Government to prohibit levy of haqqs, fees and customs by private individuals, and collection of alienated shares of revenue after abolition or relinquishment thereof by Government	(Bom.) Act 20, 1839, s. 1.
Such orders of prohibition not to be questioned in Court	,, s. 2.
Punishment for levying or collecting such haqqs, etc., after prohibition	,, s. 3.
Abolition of town-duties, kasab veras, muhtarafas, balutch taxes and cesses of every kind on trades or professions not forming part of the land-revenue	(Bom.) Act 19, 1844.
Bom. Act 1, 1883, to apply only in notified areas	Bom. Act 1, 1883, s. 2.
Power to impose tax on vehicles and animals for construction and maintenance of roads; recovery of tax; application of proceeds	,, ss. 3, 4, 6.
Such tax not to be levied in municipality or cantonment where there is a similar tax; contributions from funds of such places for objects of Act	,, s. 5.
Exemptions from tax	,, s. 8.
Power to impose hoe-tax or house-tax in lieu of land-revenue	(As.) Reg. 1, 1886, s. 47.

In cantonments. *See* CANTONMENT, 7.

At fairs. *See* OUDH, 6.

TAXES—*contd.*

In areas subject to local Self-Government Boards:

See under LOCAL SELF-GOVERNMENT, (*Sub-heading* "Finance and Property.")

In municipalities:

See under MUNICIPALITY, (*sub-heading* "Taxation.")

In Municipal Unions and Station, Assam. *See* MUNICIPALITY, IV, B. C.

In British Baluchistan bazars. *See* BRITISH BALUCHISTAN II, 3.

In Chittagong Hill Tracts; power to make rules for levy of . Reg.1,1900,s.18(2)(*l*).

In Upper Burma Hills. *See* CHIN HILLS, 6; KACHIN HILLS, 6.

Port-dues, fees and charges. *See* PORT, I, 5; II.

Leviable by Port Commissioners or Trustees:

See under PORT COMMISSIONERS, (*sub-heading* "Finance.")

For maintenance of Chaukidars. *See* POLICE, II, A, 3, 4; B, 3; PUNJAB, 4.

Water-rates. *See* IRRIGATION.

See also ADEN; CAPITATION-TAX; COURT-FEES; CUSTOMS (INLAND); CUSTOMS, SEA, 1, 2 (*a*); DRAINAGE; EXCISE; FIRE, 3; FOREST, 5; INCOME-TAX; LAND-REVENUE; LOCAL RATES AND CESSES; OPIUM, I; PANDHARI-TAX; PATWARIS AND KANUNGOS; SALT; STAMPS; STONE; TEA CESS; THATHAMEDA-TAX; TOBACCO; TOLLS; TOUNGYA-TAX; TRIBUTE; VILLAGE, E. 2.

TEA-CESS ACT (INDIAN), 1903 . . . . . Act9,1903.

TEA-CESS:

Duty on export of Indian tea . . . . . Act9,1903.s.3.

Application of proceeds of tea-cess . . . . . ,, s.5.

Surplus to vest in Crown . . . . . ,, s.10.

Tea-Cess Committee; constitution of . . . . . ,, s.4.

Accounts to be kept by . . . . . ,, s.6.

Power to make rules . . . . . ,, s.7.

Act 8, 1894, s. 5, amended . . . . . ,, s.8.

Local extent and duration of Act 9, 1903 . . . . . ,, ss.1,9.

TELEGRAPH ACT (INDIAN), 1885 . . . . . Act13,1885.

TELEGRAPH.

1. Preliminary.

Act 13, 1885, extends to whole of British India and, as regards British subjects, to Native States . . . Act13,1885,s.1.

,, ,, declared in force in—

the Santhál Parganas . . . . . Reg 3.1872,s.3,Sch.

Upper Burma generally (except the Shan States) Act13,1898,s.4,Sch.1.

British Baluchistan . . . . . Reg.1,1890,s.3.

Definitions . . . . . Act13,1885,s.3.

2. Working.

Exclusive privilege of Governor General in Council of establishing and working; his power to grant and revoke license for those purposes . . . . . ,, ss.4,8.

Power of Government, on emergency, to take possession of licensed telegraph or intercept messages . . . . . ,, s.5.

TELEGRAPH—*contd.*

2. Working—*contd.*

Production in criminal proceedings of telegrams in custody of Telegraph Authorities . . . . . Act5,1898,s.95.

Establishment and maintenance of, by Government, on railway . Act13,1885,s.6.

On railway. *See* RAILWAY, 6 (*a*).

Power of Government to make rules for conduct of . . . . ,, s.7.

Limitation of responsibility for loss or damage caused by telegraph officer . . . . . ,, s.8.

Placing and maintaining lines and posts : General powers for . . . . . ,, ss.10,11,18.

Special powers and procedure where property affected is under control of Local Authority : . ,, ss.12to15.

,, ,, ,, ,, in other cases . . . . ,, ss.16.17,34.

Protection of lines from injury by use of electricity . . . . Act9,1910,s.32.

Offences and penalties Act13,1885,ss.20to32,

Offences, wherever committed, may be tried in Presidency-town Act5,1898,s.184

Power to employ additional police where mischief to telegraph repeatedly committed ; recovery of cost from inhabitants . Act13,1885,s.33.

Modification of Act in its application to Presidency-towns and Rangoon . . . . . ,, s.34.

See also ELECTRICITY, RED SEA AND INDIA TELEGRAPH COMPANY ; SUBMARINE TELEGRAPH.

TEMPLE FUNDS MANAGEMENT REGULATION (COORG), 1892. (*See* ENDOWMENT, 2) . . . . . Reg.4,1892.

TENANCY ACT (BENGAL), 1885. Act8,1885.
,, ,, (CENTRAL PROVINCES), 1898. Act11,1898.
,, ,, (PUNJAB), 1887. Act16,1887.
,, REGULATION (HAZARA), 1887. Reg.13.1887.
(*See* LANDLORD AND TENANT)

TENANT.

Definition of "tenancy," "tenant," "tenure," etc. *See* WORDS AND PHRASES.

See also LANDLORD AND TENANT.

TENURES ACT (CHOTA NAGPUR), 1869. (*See* LANDLORD AND TENANT) III, B . . . . . Ben.Act2,1869.

TERI DUES REGULATION, 1902. (*See* LAND-REVENUE XV) . Reg.4,1902.

TERMINALS. *See* RAILWAY, 5 (*b*).

TERRITORIAL AND RESERVE FORCES ACT, 1907. (*See* ARMY RESERVE) . . . . . 7Edw.7,c.9.

TERRITORIAL WATERS JURISDICTION ACT, 1878 *See* CRIMINAL LAW AND PROCEDURE (ENG) ; PIRACY ; SEA ; TERRITORIAL WATERS . . . . . 41-2V.c.73.

TERRITORIAL WATERS.

Trial of offence committed within territorial waters of Her Majesty's dominions, though committed on or by means of foreign ship ; saving as to trial of pirates ; definition of territorial waters, etc. . . . . 41-2V.c.73.

See also FAIRWAYS ; SALT, VI.

THAKURS.

Ajmere. *See* TALUQDARS, THAKURS AND JAGIRDARS.

Broach and Kaira. *See* INCUMBERED ESTATES, III.

THATHAMEDA-TAX, UPPER BURMA.

Levy and assessment of . . . . . Reg.3,1889,s.22.
Recovery of . . . . . ,, ss.37to46.
Bar to jurisdiction of Civil Courts in matters relating to . . ,, s.53.

THEFT. *See* COFFEE ; CRIMINAL LAW (INDIAN), 15.

THUG.

Punishment for being . . . . . Act45,1860,ss.310,311.

TI. *See* GAMING, 4.

TIMBER. *See* FOREST.

TIME. *See* LIMITATION OF TIME.

TOBACCO, BOMBAY TOWN.

"Town of Bombay" includes the Islands of Bombay and Colaba Act4.1857,s.21.
Tobacco to be imported only by sea and landed only at places prescribed by Local Government . . . . . ,, s.7.
Municipal import-duty ; rate of . . . . . ,, s.2.
,, ,, ,, not payable on small quantities for importer's private consumption . . ,, s.8.
,, ,, ,, when payable . . . . . ,, ss.3,4.
,, ,, ,, to be remitted on re-exportation . . ,, s.4.
,, ,, ,, powers for enforcing payment of . . ,, s.6.
Warehousing . . . . . ,, ss.4,5.
Permit required for transport ; exceptions . . . . ,, ss.9,10 Sch.
Licensing of retail sale . . . . . ,, ss.11to13.
Monthly returns of stock held by retail dealers . . . . ,, s.14.
Record by retail dealers of tobacco received . . . . ,, s.15.
Powers of search, seizure and arrest . . . . . ,, ss.16,17.
Penalties for breach of Act . . . . . ,, ss.14,15,18.
Confiscation of tobacco, etc., when Act contravened . . ,, ss.18,20.
Any Presidency Magistrate to have jurisdiction under Act . . ,, s.20.

TODA GIRAS ALLOWANCES ACT, 1887 . . . . Bom.Act7,1887.

TODA GIRAS ALLOWANCES.

Definition of . . . . . Bom.Act7,1887,s.2.
To be held hereditarily in male descent . . . . ,, s.3.
Restriction on alienation of . . . . . ,, s.4.
,, ,attachment or sale of, in execution of decree . ,, s.5.
Act not to apply to certain allowances already alienated . . ,, s.6.

TOKENS, METAL. *See* COINAGE, II, 3.

TOLLS ON ROADS AND BRIDGES ACT AMENDMENT ACT, 1881 . . . . . Bom.Act5,1881.

TOLLS.

1851. Act 8 (Tolls on Roads and Bridges).
1864. Act 15 (Tolls on Roads and Bridges).
,, Ben. Act 5, ss. 5 to 10 (Canals).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Reg. 9, s. 3 (Laws, Arakan Hill District).
1875. Act 20, s. 3 (Laws, Central Provinces).

TOLLS—*contd.*

1875. Bom. Act 3 (Tolls on Roads and Bridges, Bombay Presidency).
1883. Bom. Act 1, s. 7 (Highways, Bombay).
1884. Bom. Act 1 (Local Boards, Bombay).
1888. Act 8 (Tolls on Roads and Bridges).
1892. Act 8 (Tolls on Lansdowne Bridge, etc.).
1898. Act 13, s. 4 (Laws, Burma).
1901. Act 2 (Tolls, Army).

Act 2, 1901, extends to whole of British India . . . . Act2,1901,s.1.
Definitions . . . . . ,, s.2.
Exemption of men, property, etc., belonging to army from tolls . ,, ss.3,4.
Compensation; claims to how dealt with . . . . . ,, s.6.
Penalty for demanding toll in contravention of Act 2, 1901 . ,, s.5.
Rules; power to make . . . . . ,, s.7.

1. On Roads and Bridges.

Act 8, 1851, applies to Bengal, (except Sambalpur District) and Eastern Bengal, Coorg, [1] Madras Presidency, United Provinces [2] . . . . . Act8,1851,s.2(pt.rep.Act 8,1888,s.5).
,, ,, may be extended to other Provinces by Local Government . . . . . Act15,1864,s.3.
,, ,, declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
the Arakan Hill District . . . . Reg.9,1874,s.3.
the Central Provinces and Sambalpur District . Act20,1875,s.3.
Upper Burma generally (except the Shan States) with a modification . . . . . Act13,1898,s.4,Sch.1.
,, ,, repealed in Bombay Presidency . . . . Bom.Act3,1875,s.1.
Act 15, 1864; power to extend it to any place . . . . Act15,1864,s.3.
,, ,, declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
the Central Provinces and Sambalpur District Act20,1875,s.3.
,, ,, Upper Burma except Shan States. . . Act13,1898,s.4,Sch.1.
Acts 8, 1851, and 15, 1864, declared in force in Punjab and N.-W. Fr. . . . . Act8,1888,s.1.
Act 8, 1892, extends to the whole of British India . . . Act8,1892,s.1.
Definition of "Local Government" . . . . . Act15,1864,s.4. Act8,1888,s.2(*f*).
Power of Local Government to impose tolls on roads or bridges made or repaired at Government expense . . . . Act8,1851,s.2,Sch. Act15,1864,s.1,Sch. Bom.Act3,1875,s.3,Sch.
Exemptions from payment of tolls . . . . . Act8,1851,s.4. Bom.Act3,1875,s.5.
Power to levy tolls on Lansdowne Bridge and other roads and bridges . . . . . Act8,1892,ss.2,4.
Tolls not to be levied under Bom. Act 3, 1875, in areas subject to Bom. Act 1, 1883 (Highways) . . . . . Bom.Act1,1883,s.7.
Toll Collectors:
Appointment, responsibilities and powers of . . . . Act8,1851,ss.2,3. Bom.Act3,1875,ss.3,4.

[1] Acts 8, 1851, and 15, 1864, have been extended to Coorg by notification under the Scheduled Districts Act, 1874.
[2] Acts 8, 1851, and 15, 1864, have been extended to Oudh by notification.

TOLLS—*concld.*

1. On Roads and Bridges—*concld.*

Toll Collectors—*concld.*

Police-officers to assist . . . . . Act8,1851,s.5. Bom.Act3,1875,s.6.

Penalty for unauthorised levy of tolls, etc. . . . . Act8,1851,s.6. Bom.Act3,1875,s.7.

Exhibition of table of tolls, etc. . . . . Act8,1851,s.7. Bom.Act3,1875,s.8.

Power to compound for tolls . . . . . Act15,1864,s.2. Bom.Act3,1875,s.9.

,, lease levy of tolls; powers, etc., of lessee . . . Bom.Act3,1875,ss.10,11.

Application of proceeds of tolls . . . . . Act8,1851,s.8. Bom.Act3,1875,s.12. Bom.Act1,1884,s.44(*d*).

See also HOWRAH BRIDGE.

2. Miscellaneous.

On canals:

Bengal . . . . . Ben.Act5,1864,ss.5to10.

Burma. *See* CANAL.

Madras. *See* CANAL, ; MADRAS IRRIGATION AND CANAL COMPANY.

On ferries. *See* FERRY.

On Madras piers. *See* PORT, II, C.

On railway ferries, roads and bridges. *See* RAILWAY, 6 (*a*).

On rivers. *See* GANGES; KARATOYA RIVER.

On tramways. *See* TRAMWAY, 4 (*b*), 5; TRAMWAYS, A, 4 (*b*), 5.

In areas subject to Local Self-government Boards, Madras. *See* LOCAL SELF-GOVERNMENT, VII, 5.

In municipalities:

See under MUNICIPALITY, (*sub-heading* "Taxation.")

Leviable by Port Commissioners or Trustees:

See Under PORT COMMISSIONERS, ETC., (*sub-heading* "Finance.")

TORTS.

Act 12, 1855, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

in Upper Burma generally (except the Shan States) . . Act13,1898,s.4,Sch.1.

in Angul district . . . . . Reg.1,1894,s.3.

Act 13, 1855, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

in the Arakan Hill District . . . . . Reg.9,1874,s.3.

in Upper Burma generaly (except the Shan States) . . . Act13,1898,s.4,Sch.1.

in Angul District . . . . . Reg.1,1894,s.3.

Action by or against executor, administrator or representative in respect of wrong done during life of deceased occasioning pecuniary loss to his estate . . . . . Act12,1855.

Action for compensation for loss occasioned by death due to actionable wrong . . . . . Act13,1855.

TOUNGYA CULTIVATION. *See cross-references from* SHIFTING CULTIVATION, 3.

TOUNGYA TAX. *See* LAND-REVENUE, IX, 2.

TOUTING. *See* LEGAL PRACTITIONER, 1.

TOWN NUISANCES ACT, 1889. *See* CRUELTY TO ANIMALS, 4; DOG; GAMING; NUISANCE; POLICE, 1; STREETS, THOROUGHFARES AND PUBLIC PLACES . . . . . Mad.Act3,1889.

TOWNS ACT (BURMA), 1907 . . . . . Bur.Act3,1907.

TOWNS.

1. Burma.

Bur. Act 3, 1907, not to be applied to cantonment without previous consent of Governor General in Council . . . . . Bur.Act3,1907,s.4,proviso.

Division of towns into wards and blocks, and appointment, etc., of headmen and elders . . . . . ,, s.5.

Headmen and elders:

Duties of, as to reporting and preventing offences and other matters . . . . . ,, ss.6,7.

Penalty on, for breach of duty . . . . . ,, s.8.

Obligation on residents to assist headmen; penalty . . Bur.Act3,1907,s.9.

Penalty for holding, etc., unlicensed *pwé*, billiard saloon or other place of public resort for game or amusement . . ,, ss.11,11A.

Finality of orders under Act . . . . . ,, s.12.

Power of Local Government to make rules for purposes of Act; publication of rules . . . . . ,, ss.13,14.

Report of arrival or departure of strangers in or from notified towns in Upper Burma; penalty . . . . . ,, s.10.

2. Madras.

See NUISANCE; GAMING.

TRACKING OFFENDERS. *See* AJMERE, 3; PUNJAB, 4.

TRADE. *See* OFFENSIVE AND DANGEROUS TRADES.

TRADE DESCRIPTION. *See* MERCHANDISE MARKS.

TRADE MARKS ACT, 1905. (*See* EVIDENCE I; TRADE MARK) 5Edw.7,c.15.

TRADE MARKS. *See also* EVIDENCE, I; MERCHANDISE MARKS.

Saving of right to make certain assignments of, in British possessions . . . . . 5Edw.7,c.15,s.22.

International and colonial arrangements . . . . . ,, s.65.

TRAFFIC FACILITIES ON RAILWAYS. *See* RAILWAY, 5.

TRAMWAYS ACT (INDIAN) . . . . . Act11,1886.

,, ,, (BENGAL), 1883 . . . . . Ben.Act3,1883.

,, ,, (BOMBAY), 1874 . . . . . Bom.Act1,1874.

,, ,, (CALCUTTA), 1880 . . . . . Ben.Act1,1880.

,, ,, ,, 1894 . . . . . Ben.Act3,1894.

,, ,, (KARACHI), 1883 . . . . . Bom.Act2,1883.

,, ,, AMENDMENT ACT (BOMBAY), 1895 . Bom.Act2,1895.

TRAMWAY.

1865. Act 3, s. 7 (Carriers).
1880. Ben. Act 9, ss. 6, 8 (Cesses).
1883. Ben. Act 3 (Tramways).
1886. Act 11 (Tramways).
1890. Act 9, s. 146 (Railways).
1898. Act 13, s. 4 (Laws, Burma).
1902. Act 4 (Tramways).

TRAMWAY—*contd.*

1. Preliminary.
2. Order authorising construction.
3. Construction and Maintenance.
4. Working.
5. Offences, Penalties, etc.
6. Discontinuance.
7. Miscellaneous.

1. Preliminary.

Act 11, 1886, declared in force in Upper Burma except Shan States . . . . . Act13,1898,s.4,Sch.1.

Definitions . . . . . Act11,1886,s.3. Ben.Act3,1883,s.2.

2. Orders authorizing construction.

Making of, by Local Government, subject to certain consents; contents and publication of order . . . . . Act11,1886,ss.4to7. Ben.Act3,1883,ss.3to5,8.

Revocation, amendment, etc., of . . . . . Act11,1886,s.8. Ben.Act3,1883,s.6.

Costs of . . . . . Act11,1886,s.24(*b*).

Deposit in respect of . . . . . ,, s.24(*c*).

Power to authorise joint work by Local Authorities . . . ,, s.9. Ben.Act3,1883,s.7.

Cesser of powers granted by . . . . . Act11,1886,s.10. Ben.Act3,1883,s.9.

3. Construction and Maintenance.

Tramway not to be constructed except under Act . . . Act11,1886,s.47.

,, to be constructed and maintained in manner provided by order . . . . . ,, s.11. Ben.Act3,1883,s.14.

Inspection before opening . . . . . Act11,1886,s.12. Ben.Act3,1883,s.20.

Breaking up streets, etc. . . . . Act11,1886,s.7(*c*). Ben.Act3,1883,s.15.

Promoter to keep roads in repair . . . . . Act11,1886,s.7(*g*). Ben.Act3,1883,s.16.

Agreement between road-authority and promoter as to repair of roadway . . . . . Act11,1886,s.13.

Promoter not to obstruct traffic . . . . . Ben.Act3,1883,s.17.

4. Working.

(*a*) GENERALLY.

Rights of promoters and the public over tramway . . . Act11,1886,s.14. Ben.Act3,1883,ss.18,19, 23.

Carriages; description of, and motive power for . . . Act11,1886,s.7(*m*),(*n*). Ben.Act3,1883,ss.22,23.

Carriage of dangerous or offensive goods . . . . . Act11,1886,s.16. Ben.Act3,1883,s.34.

Power of Local Authority to make rules—

generally . . . . . Act11,1886,s.24(*2*). Ben.Act3,1883,s.26.

for licensing and control of drivers, conductors, etc. . . . . Act11,1886,s.24(*2*)(*h*).

,, promoter or lessee to make rules for prevention of nuisances and for regulating travelling . . . ,, s.24(*5*). Ben.Act3,1883,s.27.

TRAMWAY—*contd.*

4. Working—*contd.*

(*a*) GENERALLY—*contd.*

Licenses to third parties by Local Government to use tramways in certain events; licensee to account to promoter or lessee . . Act11,1886,ss.17,18.

(*b*) TOLLS, ETC.

"Toll" includes charges . . . . . ,, s.3(*10*).

Promoter or lessee or Local Authority may take tolls, rates and fares; limits thereto; exhibition of list . . . . . ,, ss.15,23. Ben.Act3,1883,ss.21,24,25.

Penalty for evasion of . . . . . Act11,1886,s.31. Ben.Act3,1883,s.32.

Recovery of, from licensees . . . . . Act11,1886,s.37.

,, ,, ,, passengers . . . . . ,, s.38.

5. Offences, Penalties, etc.

Promoter, lessee or licensee not complying with Act or order . ,, ss.27,47. Ben.Act3,1883,s.29.

Obstructing servant of promoter in exercise of his powers, or injuring mark . . . . . Act11,1886,s.28. Ben.Act3,1883,s.30.

Interfering with or obstructing tramway . . . . . Act11,1886,s.29. Ben.Act3,1883,s.31.

Without authority using on tramway a carriage suited thereto . Act11,1886,s.30.

Evading payment of toll or fare . . . . . ,, s.31. Ben.Act3,1883,s.32.

Bringing dangerous or offensive goods on tramway without notice Act11,1886,s.32. Ben.Act3,1883,s.34.

Licensee not rendering proper accounts . . . . . Act11,1886,s.33.

Breaches of rules or bye-laws . . . . . ,, s.25. Ben.Act3,1883,s.35.

Arrest by servant of promoter . . . . . ,, s.33.

Prosecutions under other laws not barred, but only one punishment allowed . . . . . Act11,1866,s.34.

6. Discontinuance.

Cessation of powers of promoter and lessee on discontinuance of tramway . . . . . ,, s.19. Ben.Act3,1883,s.39.

Power of Local Government to order discontinuance in certain cases . . . . . Act11,1886,s.21(*1*). Ben.Act3,1883,s.40.

Power to remove tramway and restore road, on discontinuance of tramway; recovery of costs . . . . . Act11,1886,ss.20,21(*2*). Ben.Act3,1883,ss.39,40.

See also below, 7.

7. Miscellaneous.

Promoter only to acquire right of user of road . . . . . Act11,1886,s.39. Ben.Act3,1883,s.19.

,, to pay authorised charges for use of road or bridge; compounding for such charges . . . . . Act11,1886,s.39.

Promoters, lessees and licensees to be responsible for all injuries . ,, s.42. Ben.Act3,1883,s.36.

Want of funds not a sufficient reason for suspending construction or discontinuing working . . . . . Act11,1886,s.43.

TRAMWAY—*concld.*

7. Miscellaneous—*concld.*

Recovery of moneys due from promoters and lessees . . . Act11,1886,s.36.

Certain differences between promoters or lessees and Local Government, etc., to be settled by District Court as referee or by a referee appointed by Local Government; appeal to High Court } ,, s.35.

Saving of right of Local Authority, etc.—

to break up, etc., road, etc., where tramway laid . . . } ,, s.40. Ben.Act3,1883,s.38.

to regulate passage of traffic . . . . . } Act11,1886,s.41. Ben.Act3,1883,s.37.

Saving of right of public to use road . . . . . } Act11,1886,s.14. Ben.Act3,1883,s.18.

Lease of, or working of, tramway by Local Authority . . } Act11,1886,s.23. Ben.Act3,1883,s.21.

Purchase of tramway by Local Authority . . . . } Act11,1886,s.22. Ben.Act3,1883,s.41.

Local Funds may be applied by Local Authorities . . . } Act11,1886,s.45. Ben.Act3,1883,s.10.

Power of Local Authority to demand rent from promoter; application of rent and tolls received by Local Authority . } ,, ss.11,12.

Transfer of control on exclusion of local area from circle of Local Authority . . . . . } Act11,1886,s.48.

General power of Local Government to make rules . . . } ,, s.24(*l*),(*d*). Ben.Act3.1883,s.13.

Publication of rules or bye-laws . . . . . } Act11,1886,s.26. Ben.Act3,1883,s.28.

Power of Local Government to exempt animals, plant, etc., from municipal taxation . . . } Act11,1886,s.44.

,, ,, ,, to extend Act to existing tramways ,, s.46.

Powers of Local Government exerciseable from time to time . ,, s.50.

Power to extend Railways Act, 1890, to tramway worked by steam or other mechanical power . . . . . } Act9,1890,s.146.

Liability of owner of tramroad constructed under Land Acquisition Act for loss of or damage to property delivered to him for carriage . . . . . } Act3,1865,s.7.

,, of tramway to road cess and public works cess . . Ben.Act9,1880,ss.6,8.

Power to apply Act 10, 1895, to tramway companies. . . Act4,1902.

See also ELECTRICITY; PROVIDENT FUND.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT.

1874. Bom. Act 1 (Bombay City Tramway).
1879. Ben. Act 6 (Darjeeling Steam Tramway).
1880. Ben. Act 1 (Calcutta Tramway).
1883. Bom. Act 2 (Karachi Tramway).
1884. Ben. Act 2 (Calcutta Tramway).
1894. Ben. Act 3 (Calcutta Tramway).
1898. Bom. Act 4, s. 44 (Bombay City Improvement).
1900. Ben. Act 4 (Calcutta Tramway, Electric Traction).

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*contd.*

A.—BOMBAY CITY, CALCUTTA, AND KARACHI TRAMWAYS.
- 1. Preliminary.
- 2. Agreements.
- 3. Construction and Maintenance.
- 4. Working.
- 5. Offences, Penalties, etc.
- 6. Discontinuance.
- 7. Miscellaneous.

B.—DARJEELING STEAM TRAMWAY.

A.—BOMBAY CITY, CALCUTTA, AND KARACHI.

1. Preliminary.

Definitions	(Bo.)Bom.Act1,1874,s.2.

2. Agreements.

Agreements with grantees	(Bo.)Bom.Act1,1874,Sch. (Cal.)Ben.Act1,1880,Sch. (Cal.)Ben.Act3,1894,Sch. (Kar.)Bom.Act2,1883,Sch.
Validation of supplementary agreement	(Cal.)Ben.Act3,1894.
Validation of agreement for electric traction	(Cal.)Ben.Act4,1900.

3. Construction and Maintenance.

Grantees empowered to construct and maintain tramways	(Bo.)Bom.Act1,1874,ss.3, 4,5. (Cal.)Ben.Act1,1880,ss. 3to5. (Ka.)Bom.Act2,1883,ss. 3to5.
Inspection before opening	(Cal.)Ben.Act1,1880,s.6. (Kar.)Bom.Act2,1883,s.6.
Breaking up streets, etc.	(Bo.)Bom.Act1,1874,ss. 10,11. (Cal.)Ben.Act1,1880,s.12. (Kar.)Bom.Act2,1883,s. 12.
Grantees to keep roads in repair	(Bo.)Bom.Act1,1874,s.12. (Cal.)Ben.Act1,1880,s.13. (Kar.)Bom.Act2,1883,s. 13.
,, not to obstruct traffic	(Cal.)Ben.Act1,1880,s.14. (Kar.)Bom.Act2,1883,s. 14.
,, performance of work in default of, at their expense	(Bo.)Bom.Act1,1874,s.14.

4. Working.

(*a*) Generally.

Rights of grantees and the public over tramway	,, ss.7,8. (Cal.)Ben.Act1,1880,ss.8. 15. (Kar.)Bom.Act2,1883,ss.8, 15.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*contd.*

A.—BOMBAY CITY, CALCUTTA AND KARACHI TRAMWAYS—*contd.*

4. Working—*contd.*

(*a*) GENERALLY—*contd.*

Carriages; description of, and motive power for . . . (Bo.)Bom.Act1,1874,ss.6, 7,9. (Cal.)Ben.Act1,1880,ss.7, 8. (Kar.)Bom.Act2,1883,ss. 7,8.

Carriage of dangerous or offensive goods . . . . (Bo.)Bom.Act1,1874,s.23. (Cal.)Ben.Act1,1880,s.23. (Kar.)Bom.Act2,1883,s.22.

Power of Local Authority to make rules, regulations or bye-laws—

generally . . . . . (Bo.)Bom.Act1,1874,s.24. (Cal.)Ben.Act1,1880,s.24. (Kar.)Bom.Act2,1883,s.23.

for licensing and control of drivers, conductors, etc. . . (Cal.)Ben.Act1,1880,s.26. (Kar.)Bom.Act2,1883,s. 25.

Power of grantees to make regulations and bye-laws for prevention of nuisance, and for regulating travelling . . (Bo.)Bom.Act1,1874,s.24. (Cal.)Ben.Act1,1880,s.24. (Kar.)Bom.Act2,1883,s.23.

(*b*) FARES AND CHARGES.

Grantees may take fares and charges; limits thereto; exhibition of list . . . . . (Bo.)Bom.Act1,1874,ss.16 to18. (Cal.)Ben.Act1,1880,ss.9to 11. (Kar.)Bom.Act2,1883,ss. 19to11.

Penalty for evasion of . . . . . (Bo.)Bom.Act1,1874,s.21. (Cal.)Ben.Act1,1880,s.21. (Kar.)Bom.Act2,1883,s.20.

5. Offences, Penalties, etc.

Grantee not complying with Act or agreement . . . . (Bo.)Bom.Act1,1874,s.13. (Cal.)Ben.Act,1,1880,s.18. (Kar.)Bom.Act2,1883,s.17.

Obstructing servant of grantees in exercise of their powers, or injuring mark . . . . . (Bo.)Bom.Act1,1874,s.19. (Cal.)Ben.Act1,1880,s.19 (Kar.)Bom.Act2,1883,s.18.

Interfering with or obstructing tramway . . . . . (Bo.)Bom.Act1,1874,s.20. (Cal.)Ben.Act1,1880,s.20. (Kar.)Bom.Act2,1883,s.19.

Evading payment of fare . . . . . (Bo.)Bom.Act1,1874,s.21. (Cal.)Ben.Act1,1880,s.21. (Kar.)Bom.Act2,1883,s.20.

Bringing dangerous or offensive goods on tramway without notice (Bo.)Bom.Act1,1874,s.23. (Cal.)Ben.Act1,1880,s.23. (Kar.)Bom.Act2,1883,s.22.

Breaches of rules or bye-laws . . . . . (Bo.)Bom.Act1,1874,s.25. (Cal.)Ben.Act1,1880,s.25. (Kar.)Bom.Act2,1883,s.24.

Arrest by servant of grantees . . . . . (Bo.)Bom.Act1,1874,s.22. (Cal.)Ben.Act1,1880,s 22. (Kar.)Bom.Act2,1883,s.21.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*concld.*

A.—BOMBAY CITY, CALCUTTA AND KARACHI TRAMWAYS—*contd.*

6. Discontinuance.

Power to remove tramway and restore road, on discontinuance of tramway; recovery of costs . . . . . (Bo.)Bom.Act1,1874,s.29.

See also below, 7.

7. Miscellaneous.

Grantees only to acquire right of user of road . . . . (Cal.)Ben.Act1,1880,s.17. (Kar.)Bom.Act2,1883,s.16.

Grantees to be responsible for all injuries . . . . (Bo.)Bom.Act1,1874,s.27. (Cal.)Ben.Act1,1880,s.27. (Kar.)Bom.Act2,1883,s.26.

Recovery of fares, penalties, etc. . . . . (Bo.)Bom.Act1,1874,s.26.

Saving of right of Local Authority, etc.—

to break up, etc., road traversed by tramway . . ,, s.15. (Cal.)Ben.Act1,1880,s.29. (Kar.)Bom.Act2,1883,s.28.

to regulate passage of traffic . . . . (Bo.)Bom.Act1,1874,s.28. (Cal.)Ben.Act1,1880,s.28. (Kar.)Bom.Act2,1883,s.27.

of public to use road . . . . . (Bo.)Bom.Act1,1874,s.8. (Cal.)Ben.Act1,1880,s.15. (Kar.)Bom.Act2,1883,s.15.

,, of Port Commissioners, etc., to run tramway across grantees' tramway . . . . (Cal.)Ben.Act1,1880,s.16.

Sale of tramway by grantees . . . . . (Bo.)Bom.Act1,1874,s.31. (Kar.)Bom.Act2,1883,s.30.

Purchase of tramway by Local Authority . . . . (Bo.)Bom.Act1,1874,s.30. (Cal.)Ben.Act1,1880,s.30. (Kar.)Bom.Act2,1883,s.29.

In parts of Calcutta not subject to the Calcutta Municipal Corporation, Local Government to exercise powers of Corporation; Corporation not to have control in respect of tramways outside limits of authority . . . . . (Cal.)Ben.Act2,1884,ss.3,4.

Application of certain sections of Bom. Act 1, 1874, to streets, etc., vested in Trustees for improvement of City of Bombay . Bom.Act4,1898,s.44.

B.—DARJEELING STEAM TRAMWAY.

Power to construct and maintain, to use locomotives, etc., and to obstruct cart-road . . . . . Ben.Act6,1879.

TRANSFER OF PROPERTY ACT, 1882. (*See* ACTIONABLE CLAIM; CHARGE; DEBT; FRAUDULENT CONVEYANCE; GIFT; LEASE; MORTGAGE; NEGOTIABLE INSTRUMENTS; POLICY OF INSURANCE; SALE; TRANSFER OF PROPERTY; TRUST; WARRANTS) . . . . . Act4,1882.

TRANSFER OF PROPERTY ACT (1882) AMENDMENT ACT, 1885 . . . . . Act3,1885.

TRANSFER OF PROPERTY ACT, 1900 . . . . Act2,1900.

TRANSFER OF PROPERTY (AMENDMENT) ACT, 1904 . Act6,1904.

TRANSFER OF PROPERTY.

A.—TRANSFERS GENERALLY.

1. Preliminary.

Act 11, 1855: declared in force in whole of British India, except as regards the Scheduled Districts	Act15,1874,s.3.
„ „ applies only to cases to which English law is applicable	Act11,1855,s.3.
Act 4, 1882: extent of	Act4,1882,s.1.
„ „ repealed as to crown grants	Act15,1895.
„ „ ss. 5 to 53, not to affect rules of Hindu, Muhammadan or Buddhist law	Act4,1882,s.2.
General definitions	„ s.3.

2. Property generally.

Definition of "transfer of property"	„ s.5.
What property may and what may not be transferred	„ s.6.
Who may transfer	„ s.7.
Operation and incidents of transfer	„ s.8.
Transfer may be made orally where writing not expressly required by law	„ s.9.
Condition restraining alienation, void; exceptions	„ s.10.
Restriction repugnant to interest created, void; exception	„ s.11.
Condition making interest determinable on insolvency or attempted alienation, void; exception	„ s.12.
Rules against perpetuity and transfers for benefit of unborn persons	„ ss.13to17.
Direction for accumulation, void; exception	„ s.18.
Vested interests and contingent interests	„ ss.19to24.
Conditional transfers	„ ss.25to34.
Election	„ s.35.
Apportionment of periodical payments on determination of interest of person entitled	„ s.36.
„ of benefit of obligation, on severance	„ s.37.

3. Immoveable property.

Presumption in case of transfer by person authorised to transfer under certain circumstances only	„ s.38
Right of third person to maintenance or to provision for advancement or marriage, how affected	„ s.39.
Enforcement, after transfer, of obligation imposing restriction on use or obligation annexed to ownership	„ s.40.
Effect of transfer by ostensible owner	„ s.41.
„ „ by person having authority to revoke former transfer	„ s.42.
„ „ by unauthorised person who subsequently acquires interest in property transferred	„ s.43.
„ „ by one co-owner	„ s.44.
„ „ to two or more persons	„ s.45.
„ „ by persons having distinct interests	„ s.46.
„ „ by co-owners of share in common property	„ s.47.

TRANSFER OF PROPERTY—*contd.*

A.—TRANSFERS GENERALLY—*contd.*

3. Immoveable property—*contd.*

Priority of rights created by transfer . . . . . Act4,1882,s.48.
Transferee's right under policy of fire insurance . . . . „ s.49.
Holder under defective title:
Person holding *bonâ fide* from, not chargeable with rents or profits *bonâ fide* paid to him . . . . . Act11,1855,s.1 Act4,1882,s.50.
Value of improvements made by *bonâ fide* holder under defective title, secured to him . . . . . Act11,1855,s.2 Act4,1882,s.51.
Act 11, 1855, s. 1, repealed where Transfer of Property Act, 1882, is in force . . . . . „ s.2.
Restriction on transfer of property pending suit relating thereto „ s.52.
Fraudulent transfers voidable . . . . . „ s.53.
Crown grants of land or interest therein to take effect according to their tenor, notwithstanding other laws . . . . Act15,1895.
Power to regulate or restrict transfer of land in Chittagong Hill Tracts . . . . . Reg.1,1900,s.18(2)(*d*).
See also LAND (INDIAN LAW).

B.—TRANSFERS OF PARTICULAR KINDS.

See ACTIONABLE CLAIM; ASSIGNMENT; CHARGE; EXCHANGE; GIFT; LEASE; MORTGAGE; SALE; TALUQDARS AND GRANTEES, OUDH.

TRANSLATION.
Copyright in. *See* COPYRIGHT, 5 (*c*).

TRANSPORT. *See* MARCHING TROOPS; TRAVELLER.

TRANSPORT OF SALT ACT, 1879. (*See* SALT) . . . . Act16,1879.

TRANSPORTATION.
See CRIMINAL LAW (INDIAN), 2.
Treatment of convicts sentenced to. *See* PRISONER (INDIAN LAW), 2 (4).
Penalty for unlawful return from . . . . . Act45,1860,s.226.

TRAVELLER.
Ben. Reg. 11, 1806, s. 8,[1] declared in force—
throughout Agra, Bengal (except Sambalpur District) and Eastern Bengal except as regards the Scheduled Districts . Act15,1874,ss.6,7.
in the Santhál Parganas . . . . . Reg.3,1872,s.3.
in the Central Provinces and Sambalpur District . . . Act20,1875,s.3.
in Oudh (with modifications) . . . . . Act18,1876,s.3.
in Ajmere . . . . . Reg.3,1877,s.3.
in Angul District . . . . . Reg.1,1894,s.3.
Police empowered to aid travellers in procuring supplies or means of transport; duty of police to see that proper payment is made . . . . . Ben.Reg.11,1806,s.8.
Ben. Reg. 11, 1806, repealed as to coolies . . . . . Ben.Reg.3,1820,s.2, (Aj.)Reg.3,1877,s.3. (C.P.)Act20,1875,s.3. (O.)Act18,1876,s.3.

[1] Ben. Reg. 11, 1806, s. 8, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in Assam, except the North Lushai Hills.

TRAVELLER—*contd.*

Duty of village-headman and rural police to furnish, on payment, guides, supplies and means of transport . . . . . Bur.Act6,1907,s.8(*g*).

Supply of provisions and labour for travelling officials, in Angul District . . . . . Reg.1,1894,s.55.

TREASON.

See CRIMINAL LAW AND PROCEDURE (ENGLISH).

TREASURE TROVE ACT (INDIAN), 1878 . . . . . Act6,1878.

TREASURE TROVE.

Act 6, 1878, extends to whole of British India . . . . . Act6,1878,s.1.

„ „ declared in force in—

the Santhál Parganas . . . . . Reg.3,1872,s.3.

Upper Burma generally (except the Shan States) Act13,1898,s.4,Sch.I.

Angul and the Khondmals . . . . . Reg.1,1894,s.3.

Definitions . . . . . Act6,1878,s.3.

Notice to be given by finder of treasure . . . . . „ s.4.

Enquiry by Collector into claims . . . . . „ss.5,7to9,18.

„ „ Coroner, abolished . . . . . Act4,1871,s.30.

Forfeiture of claim by non-appearance of claimant . . . Act6,1878,s.6.

Delivery of treasure to finder, or division of it between him and other claimant . . . . . „ ss.10to12, 15.

Power of Collector to sell . . . . . „ s.12.

„ „ to acquire, for Government . . . „ s.16.

Reference to Civil Court when allowed . . . . . „ ss.8,13,14.

Bar to proceedings for things done under Act . . . . . „ s.17.

Power of Local Government to make rules for working of Act . „ s.19.

Penalties . . . . . „ ss.20,21.

TREES.

Obstructing railway; removal of . . . . . Act9,1890,s.15.

Right of Government to trees; rights of landholders in respect of trees on roadside . . . . . Bom.Act5,1879,ss.40to42.

Recovery of value of Government trees or their products unauthorisedly appropriated . . . . . „ s.43.

Regulation of supply of firewood and timber from Government trees . . . . . „ s.44.

Rights of Government in sandalwood trees . . . . . (Co.)Reg.1,1899,s.47.

To be under authority of Local Self-government Boards:

See UNDER LOCAL SELF-GOVERNMENT, (*sub-heading* "Duties and Powers of Local Authorities).

See also FOREST.

TRESPASS.

Definitions of. *See* WORDS AND PHRASES.

Penalty for . . . . (Bo.City)Bom.Act4,1902, s.11.
(Cal.)Ben.Act4,1866,s.29 (sub.Ben.Act3,1910,s.10).
(Cal.Sub.)Ben.Act2,1866, s.15B(ins.Ben.Act3,1910, s.10).
(M.City)Mad.Act3,1888, s.63.

TRESPASS—*contd.*

Criminal: punishment for; obligation to give information of, compounding for. *See* CRIMINAL LAW (INDIAN), **15.**

By animals. *See* ANIMAL, B.

Unauthorized occupation of land. *See* LAND (IND. LAW.); LANDLORD AND TENANT, III, A, 6; IV, A, 6.

TRIBUTARY MAHALS OF ORISSA ACT, 1893. (*See* ORISSA) . Act11,1893.

TRIBUTE.

Levy of, in Arakan Hill District . . . . . Reg.9,1874,ss.12to14.

TROOPS TRANSPORT REGULATION (BENGAL), 1825.[1] (*See* MARCHING TROOPS) . . . . . Ben.Reg.6,1825.

TROOPS TRANSPORT AND TRAVELLERS ASSISTANCE REGULATION (BENGAL), 1806.[1] (*See* MARCHING TROOPS; TRAVELLER) . . . . . Ben.Reg.11,1806.

TRUSTS ACT (INDIAN), 1882 . . . . . Act2,1882

TRUSTEE ACT, 1893. (*See* FINANCE) 56,7V.c.53

TRUSTEES' AND MORTGAGEES' POWERS ACT, 1866. (*See* ADMINISTRATION OF ESTATES (IND. LAW); ASSIGNMENT; LEASE; MORTGAGE; POWERS; RENT CHARGE SUCCESSION; TRUST) . Act28,1866.

TRUST.

A.—GENERALLY.

1. Preliminary.

Act 2, 1882, extends to Assam, Central Provinces (and Sambalpur District), Coorg, Madras Presidency, N.-W. Fr. Province, Punjab and United Provinces . . Act2,1882,s.1.

" " may be extended to other provinces by notification .

Definition of "trust," etc. (*See also* WORDS AND PHRASES) . . " s.3.

2. Creation of Trust.

Purpose must be lawful . . . . . " s.4.

How created . . . . . " ss.5to7.

Subject of trust . . . . . " s.8.

Beneficiary: who may be; disclaimer by . . . . . " s.9.

Who may be trustee; no one bound to accept trust; acceptance and disclaimer . . . . . " s.10.

3. Duties, Powers, etc., of Trustee.

Duties and liabilities:

To execute trust . . . . . " s.11.

To inform himself of state of trust-property . . . . " s.12.

To protect title to trust-property . . . . . " s.13.

Not to set up title adverse to beneficiary . . . . " s.14.

Care required from trustee . . . . . " s.15.

Duty as to conversion of perishable property . . . " s.16

To be impartial . . . . . " s.17

To prevent waste . . . . . " s.18.

To keep accounts and furnish accounts and information to beneficiary . . . . . " s.19.

[1] This short title was given by Act 5, 1897, s. 4.

TRUST—*contd.*

A.—GENERALLY—*contd.*

3. Duties Powers, etc., of Trustee—*contd.*

Duties and liabilities—*contd.*

Duty as to investment of trust-money	Act 2, 1882,	ss.20, 21.
,, ,, sale directed to be made within specific time	,,	s.22.
Liability for breach of trust; no set-off allowed	,,	ss.23, 24.
Non-liability for predecessor's default	,,	s.25.
Co-trustees: non-liability for default of; exception	,,	s.26.
,, when severally liable; contribution	,,	s.27.
Non-liability where trustee pays without notice of transfer by beneficiary	,,	s.28.
Liability where beneficiary's interest is forfeited to Government	,,	s.29.
Indemnity of trustee	,,	s.30.
Trust-property wrongfully converted and again coming to trustee becomes again trust-property	,,	s.65
Liability where trust-property wrongfully used in partnership business	,,	s.67.
Punishment for criminal breach of trust	Act 45, 1860,	ss.405 to 409.
Suit against express trustee not barred by any length of time	Act 9, 1908,	s.10.

Payment of income-tax by trustee. *See* INCOME-TAX, 3.

Rights and powers:

ght to title-deeds	Act 2, 1882,	s.31.
,, to re-imbursement of expenses or over-payment	,,	s.32.
,, to indemnity from gainer by breach of trust	,,	s.33.
,, to apply to Court for opinion in management of trust-property	,,	s.34.
,, to settlement of accounts	,,	s.35.
General authority of trustee	,,	s.36.
Powers as to sale	,,	ss.37 to 39.
Power to vary investments	,,	s.40.
,, to apply property of minors, etc., for their maintenance, etc.	,,	s.41.
,, to give receipts	,,	s.42.
,, to compound, etc.	,,	s.43.
Powers when one of several trustees dies or disclaims	,,	s.44.
Suspension of powers by decree	,,	s.45.

Disabilities:

Cannot renounce after acceptance; exceptions	,,	s.46.
Cannot delegate; exceptions	,,	s.47.
Co-trustees cannot act singly except where instrument of trust so provides	,,	s.48.
Control of discretionary power by Court	,,	s.49.
Not to charge for services; exceptions	,,	s.50.
,, use trust-property for his own profit	,,	s.51.
,, buy, etc., trust-property	,,	ss.52, 53.
,, lend to co-trustee	,,	s.54.

Vacation of office:

Office vacated by death or discharge of trustee	,,	s.70.

TRUST—*contd.*

A.—GENERALLY—*contd.*

3. Duties, Powers, etc., of Trustee—*concld.*

Vacation of office—*contd.*

Trustee how discharged . . . . . Act 2, 1882, ss. 71, 72.
Appointment of new trustee on disclaimer, death, etc. . . . „ ss. 73, 74.
New trustees; vesting of trust-property in; their powers . . „ s. 75.
Survival of trust on death or discharge of co-trustee . . . „ s. 76.
Procedure in suit by or against trustee. *See* CIVIL PROCEDURE, 4.
See also IMPROVEMENT (BOMBAY CITY); OFFICIAL TRUSTEE; PORT COMMISSIONER OR TRUSTEES; SOCIETY, 2; VICTORIA MEMORIAL, *and below*, 4.

4. Rights and Liabilities of Beneficiary.

Right to rents and profits . . . . . „ s. 55.
„ to specific execution . . . . . } „ s. 56.
„ to transfer of possession . . . . . }
„ to inspect and take copies of instrument of trust, accounts, etc. . . . . } „ s. 57.
„ to transfer beneficial interest . . . . . „ s. 58.
„ to sue for execution of trust . . . . . „ s. 59.
„ to have trust-property properly protected and administered by proper persons . . . . . } „ s. 60.
„ to compel trustee to perform act of duty and to restrain him from committing breach of trust . . . . } „ s. 61.
Rights where trustee has wrongfully bought trust-property . „ s. 62.
Right to follow trust-property . . . . . „ ss. 63, 64.
„ when trustee wrongfully mingles trust-property with his own . . . . . } „ s. 66.
Liability of beneficiary joining in breach of trust . . . „ s. 68.
Rights and liabilities of beneficiary's transferee . . . „ s. 69.

5. Extinction and Revocation of Trust.

Trust when extinguished . . . . . „ s. 77.
„ revocation of . . . . . „ ss. 78, 79.

6. Certain obligations in the nature of Trusts.

Such obligations created—
where it does not appear that transferor intended to dispose of beneficial interest . . . . . } „ s. 81.
where property transferred to one for consideration paid by another . . . . . } „ s. 82.
„ „ „ pursuant to contract which is rescindable or was induced by fraud or mistake . . . . } „ s. 86.
„ „ „ for illegal purpose . . . . „ s. 84.
where bequest made for illegal purpose . . . . } „ s. 85.
where revocation of bequest prevented by coercion . . }
where trust incapable of execution, or executed without exhausting trust-property . . . . . } „ s. 83.
where property acquired with notice of existing contract „ s. 91.

TRUST—*contd.*

A.—GENERALLY—*concld.*

6. Certain obligations in the nature of Trusts—*contd.*

Such obligations created—*contd.*

where property acquired by person contracting to buy for beneficiary . . . . . Act2,1882,s.92.
where debtor becomes creditor's representative . . . . „ s.87.
where advantage gained by trustee, executor, partner or other fiduciary . . . . . „ s.88.
„ „ „ by exercise of due influence . . „ s.89.
„ „ „ by tenant for life, mortgagee or other qualified owner . . . . „ s.90.
„ „ „ secretly by one of several compounding creditors . . . . „ s.93.
where person having possession of property has not the whole beneficial interest therein . . . . . „ s.94.
Duties, liabilities and disabilities of obligor . . . . „ s.95.
Ss. 81 to 95 not to impair rights of *bonâ fide* transferee . . „ s.96.
„ „ create obligation in evasion of law . .

7. Miscellaneous.

Trust not to be entered on register of shipping . . . . 57-8V.c.60,s.56.
Trust in respect of Government securities; notice of, not receivable by Government . . . . . Act13,1886,s.4.
Religious and charitable trusts. *See* ENDOWMENT.

B.—CASES GOVERNED BY ENGLISH LAW.

Person having use or trust in lands to be deemed seised of legal estate. *See* LAND (ENGLISH LAW).
Acts 31, 1854, and 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts . . . Act15,1874,s.3.
Acts 31 of 1854 and 27 and 28 of 1866 apply only in cases to which English law is applicable . . . . . Act31,1854,s.18. Act27,1866,s.3. Act28,1866,s.45.
Protection of contingent estates without trustee to preserve . Act31,1854,s.13.
Bonâ fide purchaser not required to see to application of trust-money . . . . . „ s.17.
Act 31, 1854, s. 17, repealed where Transfer of Property Act, 1882, is in force . . . . . Act4,1882,s.2.
Definitions . . . . . Act27,1866,s.2. Act28,1866,s.1.
Power of High Court to make order for disposal of—
immovable property, or contingent right therein, or stock, etc., held by trustees who are lunatic or of unsound mind . Act27,1866,ss.4to6.
immovable property or contingent right therein, held by trustees who are minors . . . . . „ ss.8,9
immovable property or contingent right therein, held by trustee, who is out of jurisdiction or cannot be found . . „ ss.10to13.
immoveable property held by two or more trustees, when it is uncertain which of them was the survivor or whether the last trustee is living or dead . . . . . „ ss.14,15.

TRUST—*contd.*

B.—CASES GOVERNED BY ENGLISH LAW—*contd.*

Power of High Court to make order for disposal of—*contd.*

immoveable property held by trustee, when he dies without heir . . . . . Act 27, 1866, s.16.

contingent right which would be held in immoveable property as trustee by unborn person . . . . . „ s.17.

immoveable property or contingent right therein, held by trustee who refuses to convey same . . . . . „ s.18.

Power to appoint person to convey; power to issue order to Secretary of Company or Society in such cases . . . . „ s.20.

Power of High Court to make order for disposal of stock, Government securities, etc.—

when trustee is out of jurisdiction or cannot be found . . „ s.21.

when trustee refuses to transfer or to receive and pay over dividends . . . . . „ ss.22,23.

Effect of such orders for vesting stock, Government securities, etc. . . . . „ ss.25to29.

Power of High Court to make order for disposal of stock or Government securities vested in minor trustee . . . . „ s.30.

Power of High Court to make order for disposal of immoveable property or contingent right therein when it has directed sale of the property . . . . . „ ss.32,33.

Power of High Court to make order for disposal of rights in immoveable property when it has decreed specific performance, partition or exchange, etc. . . . . „ s.33.

Power of High Court to direct how right to transfer stock, etc., vested under Act shall be exercised . . . . . „ s.34.

Power of High Court to appoint new trustees and give them powers and rights . . . . . „ ss.35to42.

Power exerciseable on insolvency of trustee. *See* INSOLVENCY, A, 4.

Power of High Court to make order as to costs under Act . . „ ss.44,49.

Orders of High Court to be conclusive evidence of matters on which they are based . . . . . „ s.44.

Powers under Act exerciseable in case of charities . . . „ s.45.

Payment into Court, etc., of moneys to which minor or person of unsound mind is entitled by virtue of action taken under Act . „ s.46.

Power of High Court to make decree in absence of trustee who cannot be found . . . . . „ s.47.

Stamp-duty on orders made under Act . . . . . „ s.48.

Power of High Court to direct enquiry whether person concerning whom petition is presented under Act 27, 1866, is of unsound mind; application of Act 34, 1858 . . . . . „ s.50.

Power of High Court to postpone making order under Act until petitioner's right declared in suit . . . . . „ s.51.

Indemnity to persons obeying orders made under Act . . „ s.52.

Orders under Act to have force of decree . . . . . „ s.53.

Powers and duties of trustees in executing trust for sale . . Act 28, 1866, ss.2to5.

Legatee in trust, and his successors, may raise money by sale notwithstanding want of express power in will . . . . „ ss.25,26,28.

Purchaser not bound to see to application of purchase-money, etc. . . . . „ s.31.

Powers of trustee as to investment of trust-funds . . . „ s.3

Power of trustee to apply income for maintenance, etc., of minor „ s.33.

TRUST—*concld.*

B.—CASES GOVERNED BY ENGLISH LAW—*concld.*

Appointment of new trustees; their powers, etc. . . . .
Power to appoint Official Trustee to succeed trustee deceased, etc. } Act28,1866,ss.34,35.

Trustee's receipts to be discharges . . . . . ,, s.36.

Instruments of trust to be deemed to contain clauses for indemnity and re-imbursement of trustees . . . . . } ,, s.37.

Right of trustee to apply to High Court for advice . . . . ,, s.43.

Act 28, 1866, ss. 2 to 5, 32 to 37, 43 (part), repealed where Indian Trusts Act, 1882, is in force . . . . . } Act2,1882,s.2.

Chief Court of the Punjab to be High Court for N.-W. Fr. for purposes of Acts 27 and 28 of 1866 . . . . . } Reg.7,1901,s.6(*1*)(*c*).

UNCLAIMED ASSETS.

Transfer of, to Government—

by Administrator General . . . . . Act2,1874,ss.62,63.

by High Court . . . . . { Act25,1866,ss.1,3,4. Act5,1870.

UNCLAIMED DEPOSITS ACT, { 1866 / 1870 } (*See* HIGH COURT; UNCLAIMED ASSETS) . { Act25,1866. Act5,1870.

UNCLAIMED PROPERTY.

Duties of police and Magistrates as to taking charge of and dealing with . . . . . { Act5,1861,ss.25,26,27. Bom.Act4,1890,ss.57to59. (Bo.City)Bom.Act4,1902, ss.47to50. (Cal.)Ben.Act4,1866,ss. 100,101(sub.Ben.Act3, 1910,s.30). (Ran.)Bur.Act4,1899,ss.45 to48.

Power to make rules as to disposal of, under Act 5, 1861, ss. 25 to 27 . . . . . } (O.)Act18,1876,s.39(*b*).

Duty of police to take charge of . . . . . { (Bo.)Bom.Act8,1867,s.19. (M.City)Mad.Act3,1888, s.23.

Sale of, by Railway administration. *See* RAILWAY, 6 (*b*).

Of intestate; protection of, by District Judge . . . . { (Agra,Ben.)(except Sambalpur),(E.B.&A.,L.B.). Ben.Reg.5,1799,s.7. Bom.Reg.8,1827,ss.9to11, App.C. Mad.Reg.3,1802,s.16(*7*). Mad.Reg.5,1829,s.3.

Disposal of, in Oudh. *See* OUDH, 6.

UNIFORMS ACT, 1894 (*See* ARMY NAVY; UNIFORM) . . 57-8V.c.45.

UNIFORM.

Restrictions on wearing of military or naval uniforms by unauthorised persons . . . . . } 57-8V.c.45.

UNIONS.

Under Local Self-government Acts:

Bengal. *See* LOCAL SELF-GOVERNMENT, III.

Madras. ,, ,, ,, ,, VII.

Under Municipal Act in Assam. *See* MUNICIPALITY, IV. B